



DEPARTMENT OF THE ARMY
SOUTH ATLANTIC DIVISION, CORPS OF ENGINEERS
ROOM 9M15, 60 FORSYTH ST., S.W.
ATLANTA GA 30303-8801

REPLY TO
ATTENTION OF

CESAD-CM-P

MAY 29 2003

MEMORANDUM FOR Commander, Jacksonville District, ATTN: CESAJ-PD

SUBJECT: Record of Decision (ROD), Dredged Material Management Plan and Final Environmental Impact Statement, Operations and Maintenance Dredging Project; Miami River, Miami-Dade County, Florida, dated September 2002

1. The enclosed ROD for the above referenced project was signed on May 27, 2003. Please provide copies of the signed ROD to agencies, organizations, and members of the public that received copies of the Final Environmental Impact Statement.
2. The CESAD point of contact for this action is Daniel Small at (404) 562-5224.

WILBERT V. PAYNES
Chief, Planning and Policy Division

Encl



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REPLY TO
ATTENTION OF

CESAD-CM-P


27 MAY 2003

MEMORANDUM FOR Commander, Jacksonville District, ATTN: CESAJ-PM

SUBJECT: Dredged Material Management Plan and Final Environmental Impact Statement,
Operation and Maintenance Dredging Project, Miami River, Dade County, Florida

1. A copy of the signed Record of Decision (ROD) for the operations and maintenance dredging project, Miami River, Dade County, Florida, is enclosed. Please take appropriate action to distribute copies of the ROD to interested parties.
2. Given the particular sensitivity of this project and the manner in which the work will be procured, I must caution the district to proceed carefully and ensure that all requirements stipulated by law and our agreements with state and federal agencies are met.
3. The district will award a contract for the work based on the proposal selected. A partial Notice to Proceed (NTP) will be issued to allow the selected contractor to proceed with getting any local permits, etc., that might be necessary for this plan. Concurrently, the district will proceed with modifying the State Water Quality Certificate.
4. Additional environmental documentation in accordance with the National Environmental Policy Act may be needed, depending on the proposal selected. If additional documentation is required, the contractor will not be issued a final NTP to begin construction until all compliance requirements have been met.

Encl


PETER T. MADSEN
Brigadier General, US Army
Commanding



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REPLY TO
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RECORD OF DECISION

Operations And Maintenance Dredging Project
Miami River, Miami-Dade County, Florida

We have reviewed the Dredged Material Management Plan and Final Environmental Impact Statement (DMMP and FEIS) on the Operations and Maintenance Dredging Project, Miami River, Miami-Dade County, Florida, September 2002, and associated correspondence received in response to the coordination of the document. I find the plan therein to be technically feasible, in accordance with environmental statutes and in the public interest. Therefore, I approve the plan for construction.

Section 11(b) of the Water Resources Development Act of 1974 and Sections 1162, 115 and 1157(a) of the Water Resources Development Act of 1986 authorized the project. The DMMP and FEIS evaluated two alternatives, the No-Action alternative and the proposed action alternative, hereafter referred to as the recommended plan.

Implementation of the No-Action alternative would result in the continued reduction in channel width and depth of the Miami River Federal project due to continued sediment deposition. This reduction in depth and width would result in further degradation in navigation safety, relocation of shipping to competing ports with sufficient access, as well as the continued transportation of contaminants and sediments to Biscayne Bay, adversely affecting this nationally important and unique ecosystem.

The recommended plan is to issue a Request for Proposals (RFP) from private industry to determine a selected contractor, working in partnership with the Jacksonville District of the US Army Corps of Engineers, to dredge the Miami River in Miami, Florida, in an effort to remove polluted bottom sediments from the river and restore the river to its federally authorized dimensions. The plan is to remove all the sediments within the federal limits of the main channel 15 feet deep by 150 feet wide for 3.2 miles from the salinity barrier downstream, 5.5 miles to the mouth of the river. Additionally, the local sponsors may provide funding to remove all material bank to bank. This is the effort that was evaluated in the FEIS. The RFP solicitation is being used more effectively to ensure the use of innovative technology for disposal of contaminated sediments and to capture possible timesaving and cost. Although the recommended plan is issuance of a RFP from private industry, the Corps did review an array of options for dredging, handling and disposing of the material from the river in preparing the FEIS. These alternatives included:

Options for dredging of the Miami River:

1. A mechanical operation to remove debris and dredged material from the river.

2. A mechanical operation to remove debris from the river, followed by a hydraulic operation to remove sediments.

3. A combination of the above.

Transportation/disposal options:

1. Move debris materials removed from the Miami River by barge to a disposal handling site.

2. Move materials removed by hydraulic pump to disposal or handling site.

3. Dispose of materials at a site directly accessible by barge or pipeline from Miami River.

4. Dispose of materials at a site away from the project area, requiring shipment of dredged materials by truck and/or rail.

5. Treat materials for beneficial use or unrestricted dumping at a site accessible by barge or pipeline from Miami River.

6. Treat materials for beneficial use at a remote site, requiring shipment of dredged materials by truck and/or rail.

Permanent disposal sites:

1. Previously dredged navigation (berthing) slips in the project area.

2. Existing "holes" in Biscayne Bay; i.e., areas of deeper water in the bay where dredged material could be dumped.

3. Create man-made "islands" in Biscayne Bay.

4. Ocean disposal in a designated ocean dredged material disposal site (ODMDS).

5. Upland sites approved for accepting the removed sediments.

6. Virginia Key, an island in Biscayne Bay, where an old landfill exists that could be modified to accept the dredged materials.

Should treatment of dredged materials be utilized, the following treatment techniques have been considered to render the dredged sediments a beneficial use material or acceptable for unrestricted disposal in a permitted landfill or designated dredged material disposal area:

Material handling options:

1. Dewater and dry dredged materials near the Miami River where decant waters can be easily returned to the river.
2. Send dredged materials to a municipal Wastewater Treatment Facility (WWTF) where wastewater would be treated and solids removed.
3. Dredged materials would be incinerated to remove organic materials and volatile metals (such as mercury).
4. Pozzolanic Solidification and Stabilization (PSS) of the dredged material, where the sediments are mixed with a cement to form a concrete-like substance.

Temporary or interim disposal sites:

1. Lands adjoining Palmer Lake, near the Miami River, could handle all dredge materials from the project during dewatering.
2. Virginia Key was also considered for interim disposal, utilizing areas near the old landfill for dewatering.
3. Miami City Parks; three city parks near the project were identified that could be temporarily used for dewatering.
4. The Miami-Dade Jai-Alai Stadium parking lot, located near the Miami River.

Of the above interim disposal sites, only the Miami-Dade Jai-Alai Stadium parking lot has been studied in detail. The other three sites were removed from consideration due to economic concerns, objections of the local citizens, and concerns about any potential long-term effects of the material on the site. A complete discussion of the remaining three options and the reasons for rejecting them are covered extensively in the DMMP.

During the RFP process if the contractor selected by the Corps should develop an alternative outside of the parameters reviewed during development of the FEIS and DMMP, additional NEPA coordination will take place.

The Corps considered applicable laws, executive orders, regulations, and local government plans in evaluating the alternatives. The recommended plan contains mitigation features that will avoid, minimize and compensate for any adverse environmental impacts.

Consultation under Section 7 of the Endangered Species Act of 1973 was completed. In January 2002, the Corps submitted a letter to the US Fish and Wildlife Service (USFWS) finding that the proposed action was likely to affect, but not likely to adversely affect, the endangered Florida manatee. In the October 10, 2002, Final Coordination Act Report (CAR), the USFWS concurred


with the Corps' determination. The Corps has made a finding of no effect on listed species under the National Marine Fisheries Service's (NMFS) purview.

The Corps has considered the recommendations of the USFWS, as provided in their draft and final CARs, as well as the views of other federal, state and local agencies, various interest groups, and members of the public as expressed during the scooping and public coordination processes. The USFWS, NMFS, US Environmental Protection Agency, and state resource agencies expressed concerns regarding the RFP process. The Corps has extended an offer to these agencies to participate in the RFP process as advisors to the Source Selection Team. The USFWS, EPS and State Department of Environmental Protection have expressed a desire to participate in the RFP process, and we will continue to coordinate with them on this issue. The Corps will continue with and address the concerns of the appropriate federal and state environmental resource agencies and environmental advocacy groups during the pre-construction engineering and design phases of the project. In a letter dated June 14, 2002, the Florida State Clearinghouse has determined that the recommended plan is consistent with the Florida Coastal Zone Management Program. On June 17, 2002, the Florida Department of Environmental Protection issued a conceptual Section 401 water quality certification for the recommended plan.

We have reviewed and evaluated documents concerning the proposed action, views of other agencies, and the various practicable means to avoid or minimize environmental harm from the constriction of this project.

All practicable means to avoid or minimize adverse environmental effects have been incorporated into the recommended plan. The public interest will best be served by implementing the improvements identified and described in the final DMMP and FEIS. This Record of Decision completes the National Environmental Policy Act process.

27 May 03
Date


PETER T. MADSEN
Brigadier General, US Army
Commanding